

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMIL KHAN, :
Plaintiff, :
:
-against- :
: 21-CV-493 (VEC)
MICHAEL L. WOODS AND ESCOT BUS LINES:
LLC, : ORDER
:
Defendants. :
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VALERIE CAPRONI, United States District Judge:

WHEREAS on December 14, 2021, the Court ordered the parties to inform the Court whether Defendant Woods appeared at his deposition, Dkt. 29;

WHEREAS on January 10, 2022, the parties informed the Court that Defendant Woods had not appeared at his deposition, Dkt. 32;

WHEREAS given that Defendant Woods did not appear at his deposition, the Court ordered Plaintiff to file his motion for summary judgment by no later than Friday, February 4, 2022, Dkt. 29;

WHEREAS the Court informed the parties that if no motion for summary judgment were filed, the Court would enter a pre-trial schedule and would set a firm trial date for the second quarter of 2022, *id.*;

WHEREAS Plaintiff did not file a motion for summary judgment by the deadline;

WHEREAS on December 14, 2021, the Court referred this case to Magistrate Judge Netburn for a settlement conference, Dkt. 30;

WHEREAS on December 15, 2021, Judge Netburn ordered the parties to contact her Chambers about scheduling the settlement conference by no later than December 22, 2021, Dkt. 31;

WHEREAS it does not appear the parties contacted Judge Netburn's Chambers by the deadline;

WHEREAS on January 10, 2022, the Court reminded the parties to contact Judge Netburn's Chambers about scheduling a settlement conference, Dkt. 33; and

WHEREAS as of the date of this Order, it appears that the parties have not contacted Judge Netburn's Chambers about scheduling a settlement conference.

IT IS HEREBY ORDERED that a jury trial in this matter will commence on **Monday, May 9, 2022 at 10:00 A.M.** The final pre-trial conference will be held on **Thursday, April 28, 2022 at 2:00 P.M.** The final pre-trial conference and the jury trial will be held in Courtroom 443 of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007.

IT IS FURTHER ORDERED that any *motions* in limine, including any *Daubert* motions, are due no later than **Friday, March 11, 2022**. Responses are due no later than **Friday, March 25, 2022**. The joint pretrial order, which must comply with the Undersigned's Individual Practices in Civil Cases, is due no later than **Friday, April 8, 2022**. Pre-marked trial exhibits, requests to charge, and proposed *voir dire* questions (focusing only on the particular facts of this dispute) are due no later than **Friday, April 8, 2022**.

IT IS FURTHER ORDERED that by no later than **Friday, February 11, 2022**, the parties must file a joint letter on ECF informing the Court whether they have contacted Judge Netburn's Chambers to schedule a settlement conference in line with her Order (Dkt. 31) or

whether they would like the Undersigned to withdraw the reference to Judge Netburn for a settlement conference.

IT IS FURTHER ORDERED that per the SDNY COVID-19 COURTHOUSE ENTRY PROGRAM, any person who appears at any SDNY courthouse must complete a questionnaire and have his or her temperature taken. Only those individuals who meet the entry requirements established by the questionnaire will be permitted entry. Additionally, any person who appears at any SDNY courthouse must comply with Standing Order M10-468 (21-MC-164), which further pertains to courthouse entry.

SO ORDERED.

Date: February 7, 2022
New York, New York


VALERIE CAPRONI
United States District Judge